



Docket No.: ISA-02701
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Falk Fish *et al.*

Application No.: 10/500186

Confirmation No.: 5307

Filed: December 26, 2002

Art Unit: 2878

For: NOVEL DEVICE, SYSTEM AND METHOD
FOR FLUORESCENCE DETECTION

Examiner: D. J. Williams

CERTIFICATE OF MAILING

I hereby certify that the following paper is being deposited with the United States Postal Service as first-class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 20, 2006.

Katelyn Nelson

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT

04/25/2006 SFELEKE1 00000039 061448 10500186
01 FC:1806 180.00 DA
B3179791.1

application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

A concise explanation of relevance of the items listed on form PTO/SB/08 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

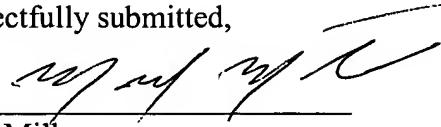
It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Please charge our Deposit Account No. 06-1448 in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter

filed in this application by this firm) to our Deposit Account No. 06-1448, under Order No. ISA-02701. A duplicate copy of this paper is enclosed.

Dated: April 20, 2006

Respectfully submitted,

By 
Mark Miller

Registration No.: 58,234
FOLEY HOAG LLP
155 Seaport Blvd
Boston, Massachusetts 02210
(617) 832-3021
Attorney for Applicant



PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO

Complete If Known

/

Application Number 10/500186-Conf. #5307

Filing Date December 26, 2002

First Named Inventor Falk Fish

Art Unit 2878

Examiner Name D. J. Williams

Sheet

1

of

2

Attorney Docket Number ISA-02701

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
AA*	US-4,523,853	06-18-1985	Rosenbladt et al.		
AB*	US-5,304,468	04-19-1994	Phillips et al.		
AC*	US-5,504,013	04-02-1996	Senior		
AD*	US-5,580,794	12-03-1996	Allen		
AE*	US-5,602,040	02-11-1997	May et al.		
AF*	US-5,622,871	04-22-1997	May et al.		
AG*	US-5,968,835	10-19-1999	Aoki et al.		
AH*	US-5,968,839	10-19-1999	Blatt et al.		
AI*	US-6,055,060	04-25-2000	Bolduan et al.		
AJ*	US-6,156,271	12-05-2000	May		
AK*	US-6,194,222	02-27-2001	Buechler et al.		
AL*	US-6,235,241	05-22-2001	Catt et al.		
AM*	US-6,352,862	03-05-2002	Davis et al.		
AN*	US-6,399,398	06-04-2002	Cunningham et al.		
AO*	US-6,485,982	11-26-2002	Charlton		
AP*	US-6,707,554	03-16-2004	Miltner et al.		
AQ*	US-6,951,631	10-04-2005	Catt et al.		

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
BA	WO 1999/35602		07-15-1999			
BB	WO 00/19185 A1		04-06-2000		(Abstract Only)	✓
BC	WO 2004/070353		08-19-2004			
BD	EP 0291194 B1		02-16-1994			
BE	EP 0291194 B2		07-23-2003			
BF	EP 0291194 B8		10-22-2003			
BG	EP 0653625 B1		09-11-2002			
BH	EP 0728309 B1		08-20-1997			
BI	EP 0782707 B1		11-25-1998			
BJ	EP 0819943 A2		01-21-1998		(Abstract Only)	✓
BK	EP 0833145 B1		04-01-1998			
BL	DE 19628562		01-22-1998		(Abstract Only)	✓
BM	GB 2365526		07-31-2000			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with a single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered
--------------------	-----------------

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO				<i>Complete If Known</i>	
				Application Number	10/500186-Conf. #5307
				Filing Date	December 26, 2002
				First Named Inventor	Falk Fish
				Art Unit	2878
				Examiner Name	D. J. Williams
Sheet	2	of	2	Attorney Docket Number	ISA-02701

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
	CA	Search Report for GB 0312802.2, Date of Search 12/1/2003		
				T ²

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

²Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered
--------------------	-----------------